

UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS, ss.

C.A. No. 04-12407-NMG

DIRECT TV,)
Plaintiff,)
v.)
MARCOS NAVARRO,)
Defendant.)

DEFENDANT, MARCOS A. NAVARRO'S, ANSWER TO PLAINTIFF'S COMPLAINT

NOW COMES the Defendant, Marcos Navarro, and files herewith his responsive pleading to the complaint of the plaintiff dated November 23, 2004.

ANSWER

1. The Defendant has insufficient information to either admit or deny these allegations, and therefore calls upon the Plaintiff to prove the same.
2. The Defendant has insufficient information to either admit or deny these allegations, and therefore calls upon the Plaintiff to prove the same.
3. The Defendant has insufficient information to either admit or deny these allegations, and therefore calls upon the Plaintiff to prove the same.
4. The Defendant has insufficient information to either admit or deny these allegations, and therefore calls upon the Plaintiff to prove the same.
5. The Defendant has insufficient information to either admit or deny these allegations, and therefore calls upon the Plaintiff to prove the same.
6. The Defendant has insufficient information to either admit or deny these allegations, and therefore calls upon the Plaintiff to prove the same.

7. The Defendant has insufficient information to either admit or deny these allegations, and therefore calls upon the Plaintiff to prove the same.
8. The Defendant has insufficient information to either admit or deny these allegations, and therefore calls upon the Plaintiff to prove the same.
9. The Defendant has insufficient information to either admit or deny these allegations, and therefore calls upon the Plaintiff to prove the same.
10. The Defendant has insufficient information to either admit or deny these allegations, and therefore calls upon the Plaintiff to prove the same.
11. The Defendant has insufficient information to either admit or deny these allegations, and therefore calls upon the Plaintiff to prove the same.
12. The Defendant has insufficient information to either admit or deny these allegations, and therefore calls upon the Plaintiff to prove the same.
13. The Defendant has insufficient information to either admit or deny these allegations, and therefore calls upon the Plaintiff to prove the same.
14. The Defendant has insufficient information to either admit or deny these allegations, and therefore calls upon the Plaintiff to prove the same.
15. The Defendant has insufficient information to either admit or deny these allegations, and therefore calls upon the Plaintiff to prove the same.
16. Denied
17. The Defendant has insufficient information to either admit or deny these allegations, and therefore calls upon the Plaintiff to prove the same.
18. Denied
19. Denied as to both count 20 and count 20(a)

20. Denied

21. Denied

22. Denied

23. Denied

24. Denied

25. Denied

26. This statement requires no response from the Defendant; to the extent that any allegations are made in this statement, the Defendant denies them wholly.

27. Denied

28. Denied

29. Denied

30. This statement requires no response from the Defendant; to the extent that any allegations are made in this statement, the Defendant denies them wholly.

31. Denied

32. Denied

33. Denied

34. Denied

35. This statement requires no response from the Defendant; to the extent that any allegations are made in this statement, the Defendant denies them wholly.

36. Denied

37. Denied

38. Denied

39. Denied

40. Denied

AFFIRMATIVE DEFENSES

First Affirmative Defense

The complaint fails to state a claim against the Defendant upon which relief may be granted.

Second Affirmative Defense

The claim is barred by the applicable statute of limitations.

Third Affirmative Defense

Plaintiff has waived any potential claims it may have had.

Fourth Affirmative Defense

Plaintiff is estopped by its conduct from recovery on its Counterclaim.

Defendant reserves the right to amend his Answer to the complaint to assert such affirmative defenses and claims as may become known, relevant or available prior to or during the trial of this case.

WHEREFORE the Defendant demands judgment that the complaint herein be dismissed with costs and disbursements

Respectfully submitted
By his attorney,

/s/ Paul Gargano
Paul A. Gargano (BBO# 185560)
GARGANO & ASSOCIATES
Thomas Graves Landing
4 Canal Park
Cambridge, MA 02141
(617) 621-1100

Dated: December 13, 2004